

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MATTHEW G. SILVA,) CASE NO. C04-1484-JCC-MAT
)
 Plaintiff,)
)
 v.) **SECOND ORDER DIRECTING
) PARTIES TO SUBMIT JOINT
) PRETRIAL STATEMENT**
)
 KING COUNTY, et al.,)
)
 Defendants.)
)

This is a civil rights action brought pursuant to 42 U.S.C. § 1983. On October 12, 2005, this Court issued an Order directing the parties to confer and to submit a joint pretrial statement in this action not later than November 30, 2005. On December 1, 2005, the Court received a declaration from plaintiff in which he asserts that he has contacted defendants' counsel by mail on two occasions regarding the need to confer on two pending cases, and that defendants' counsel has refused to confer. (Dkt. No. 253.) Attached to plaintiff's declaration is a copy of a letter, which plaintiff asserts he mailed to defendants' counsel on October 27, 2005, requesting an opportunity to confer regarding this Court's October 12, 2005, Order. (*Id.*) Defendants have made no effort to respond to plaintiff's assertions regarding his request to confer.

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While it is plaintiff's obligation to initiate communications for the preparation of the joint pretrial statement, defendants have an obligation to make a good faith effort to participate in the process. The record before this Court at the present time suggests that plaintiff has met his obligation, but that defendants have apparently not met theirs.

Accordingly, the parties are once again ORDERED to confer for purposes of preparing a joint pretrial statement. The parties shall file and serve their joint pretrial statement not later than **March 1, 2006**. The failure of either party to comply with this Order may result in the imposition of sanctions.

The Clerk of Court is directed to send a copy of this Order to plaintiff, to counsel for defendants, and to the Honorable John C. Coughenour.

DATED this 18th day of January, 2006.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge

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